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THE PROMISE OF AMERICAN LIFE¹

THE promise which America has rather boastfully made to the world is nothing less than an economic and political millennium—a perfected race living under a perfected economic and political democracy in a land of unlimited potentialities. Mr. Croly evidently thinks that this large promise has, in a measure, been fulfilled, because America does offer its people more of the good things of this world than any other land. But, as a result of certain defects in our political organization and some fundamental errors in our thinking, we have not only fallen short of our ideal, but we have failed to give it even that degree of approximate realization which we might and should have secured.

Our failure has resulted in part from our faulty and incomplete conception of nationality and democracy and their mutual relations. Nationality and democracy, now and forever, one and inseparable, is Mr. Croly's new battle-cry of enlightened patriotism. Nationality does not mean complete centralization of authority in the federal government. On page 274 the author says: "The process of nationalization in its application to American political organization means that political power shall be distributed among the central, state and municipal officials in such a manner that it can be efficiently and responsibly exerted in the interest of those affected by its action." In like manner democracy cannot be adequately defined as the rule of a majority or of the whole people. Democracy, Mr. Croly says, is that political organization which furthers liberty and inequality in so far as they make for human brotherhood (pages 207 *et seq.*). Liberty and equality tend each to destroy the other, unless and until they are harmonized by fraternity.

It will readily be conceded that liberty and equality are to a large degree antagonistic ideals. Liberty must be curtailed if any measure of equality of any kind is to be preserved. It is not desirable, however, so to curtail and hamper liberty that all men shall be absolutely equal, any more than it is desirable to throw equality to the winds, in order that all men shall be absolutely free. Only that degree of liberty and that degree of equality should be established and safeguarded by a

¹ Herbert Croly, *The Promise of American Life*. New York, The Macmillan Company, 1909.—468 pp.

true democracy which will result in the highest social welfare. Such a democratic society will use rational means to bring about the desired measure of liberty and equality. No nationality can be perfect without democracy, as no democracy can be perfect without nationality. In so far as we have failed to unite the national idea and the democratic idea, we have failed to realize the possibilities of our political organization. Nationality and democracy as above conceived are the two halves of the perfect political sphere. Constructive reforms should have for their object the fitting-together of these two opposite hemispheres. Fraternity is the cement which alone can bind the halves together.

Hamilton, profound political philosopher though he was, had no faith in democracy. He and those whom he led succeeded in setting up a political system founded upon the national idea to the exclusion of the democratic idea. The federal government became, under his influence, a government of property, for property and by property. The popular distrust which overwhelmed him in his later years was deserved. Jefferson, on the contrary, believed in democracy but not at all in nationality. In correcting Hamilton's mistake he committed a much graver one; for he tried to uproot the national idea in order to make room for his democratic idea. He interpreted liberty as freedom from governmental restraint. He strove to attain the goal of communistic socialism by the highway leading to individualistic anarchy. Hamilton inaugurated a national policy of purpose; Jefferson stood for a policy of negation. The ship of state, caulked and pitched with the Jeffersonian Bill of Rights, flying at its masthead the Declaration of Independence and manned by good Republican seamen, had no need of chart, compass, sextant, rudder or favoring breeze. The ship was perfect as were the intentions of the crew. Let her drift, then; and because of the accumulated good intentions of the crew and of the officers elected by the crew to do their will, the good ship was bound soon or late to reach the Blessed Isles! The mistake of both Federalists and Republicans was in thinking that nationality and democracy were necessarily opposed, instead of recognizing them as supplementary to each other.

The republic as refounded by Jefferson, was to be a realization of the new revolutionary republic of heaven on earth. All varieties of liberty and equality—economic, political, civil, religious and moral—were to flourish spontaneously side by side in this happy state where all were sovereign and no one wielded sovereignty. Jefferson and his followers thought of liberty and equality as more or less synonymous. To do away with special privileges of any kind was to give the people both liberty and equality at one stroke. Proclaim liberty throughout the

land, and equality would follow just as daylight results from the shining of the sun. Proclaiming liberty was to be the sole business of legislators and officials, the servants of the sovereign people. This was comfortable doctrine. It encouraged the elected servants of the people to proclaim eloquently and to do as little as possible, so as not to trample on the sacred rights of their sovereign masters. But, before this experiment in liberty and equality had been carried very far, it was discovered that the kind of equality which accompanied the proclamation of republican liberty was quite different from the original democratic ideal of equality. Economic and political liberty, instead of bringing economic and political equality, brought the most pronounced inequality. Jeffersonian equality came later to be interpreted as "equality before the law," or civil equality. Even "equality before the law" was from the beginning a most unequal kind of equality. Thus Jefferson's benevolent politico-economic theory of democracy broke down completely.

Mr. Croly is doubtless right in thinking that Jefferson's influence upon American life and thought has on the whole been pernicious; but he perhaps exaggerates both the influence and its perniciousness. The American social and political system had within it from the beginning the germs of discord and dissolution. Jefferson did not inoculate America with the virus of anti-nationalism. He did not create the sentiment of disunion; he only invented a way of manifesting that sentiment. His teaching was an effect rather than a cause of discord. Nor can the responsibility for the American habits of cheerfully disregarding all theory in practice and of attempting to carry out a great programless program be unloaded upon Jefferson. Our sparse population and vast resources enabled us to live without thought for the morrow, relying upon our national Bank of Destiny to honor all drafts at all times to any amount. Environment is mightier than man—even a masterful man, which Jefferson certainly was not. The course of American history would probably have run much the same had Jefferson never lived. The Fourth of July orator still pours out dutifully his annual libation upon the altar dedicated to Jeffersonian liberty and equality, but the words are not the private property of Mr. Jefferson; they are merely an American echo of the political cant existing in every democratic country. The author is scathing in his censure of Jefferson, and no American statesman is more open to criticism. But, after all, Jefferson was a statesman and not merely a politician of the ear-to-the-ground variety. He, at least, had common sense enough to disregard in time of stress some of his most nonsensical and impos-

sible anti-nationalistic theories and to practice for a time a somewhat rigorous Hamiltonian nationalism. This, however, gives Mr. Croly ground for further censure. Jefferson, he says, gave his countrymen "a seductive example of triumphant intellectual dishonesty, and of the sacrifice of theory to practice, whenever such a sacrifice was convenient" (page 419). Neither Jefferson nor America, however, can claim any patent right to political hypocrisy.

Nothing shows the profound truth of the economic interpretation of history more conclusively than the political revolt led by Jackson and the subsequent dominance of the national Democratic party up to the Civil War. The Jacksonian Democrats continued to preach the Jeffersonian doctrines, but they practiced only so much of them as suited their convenience. They were nationalists in so far as the nation alone was able to deal with foreign enemies and to alleviate their economic discomforts. They at first favored national construction of internal improvements, because they needed roads and waterways for bringing their products to market. For like reasons they favored a federal bank, which loaned them funds at six per cent. A little later, they accepted the pronouncement of their leaders declaring such federal activities to be unconstitutional, on the assurance that the various states could perform these functions better than the central government. Their attitude toward the tariff was dictated, as was everything else, by their conception of local interests. They were persistent spoilsmen because they regarded public office as one of the good things of life, which a rightly constituted democracy was in duty bound to distribute impartially among the faithful. In the backwoods, all were equal in at least one respect, namely, in the desire to feed at the public crib.

The national Democratic party was merely an agglomeration, nationwide in extent, of local factions, each seeing no farther than its township, county or state boundaries. The Whigs contributed nothing permanent to the political thought of the time, for their ideas were quite as circumscribed as were those of the Democrats. Mr. Croly evidently regards the middle period of American history as our dark ages. He sees nothing much therein but vacuity of mind and sterility of achievement. His strictures are in general well founded; but in pointing out the errors of this epoch, he has, perhaps, given the impression that virtue was dead, and that evil in all its various forms stalked unhidden through the land. In fact, this was the germinating time in our history. In this period the political and economic seeds planted by Jefferson and watered by Jackson sprang up and flourished

luxuriantly. The character of our institutions became more manifest. The thinking and achievements of these years were quite as noteworthy as the thinking and achievements of any other epoch in our history. Even the futile and equivocal compromises of the Great Compromiser were not devoid of a certain kind of merit. They at least postponed the inevitable struggle to a day when the issues could be more clearly drawn, and they demonstrated the futility of compromise. In the meantime, the land overflowed with the milk and honey of prosperity. This deluge of prosperity was ascribed quite generally to the beneficent influence of the good Democratic doctrines of liberty tempered by slavery, and of equality tempered by tariff for revenue with a large margin of incidental protection. During this period were laid the foundations of many of the monopolies and special privileges from which we suffer today. We are now beginning to eat of the dry, bitter fruits of our too bountiful prosperity. America has ever suffered from prosperity more than from panics. While the average American was creating prosperity of the simple-hearted, horny-handed, sixteen-hours-per-diem variety, the shrewder citizens of the new Arcadia were unostentatiously possessing themselves of certain property rights, franchises *etc.*, and were securing certain legal interpretations which have since become enormously valuable. The manner in which we have converted our two billion acres of more or less habitable though uninhabited wilderness into a wilderness more or less inhabited though somewhat uninhabitable was crude and barbaric. Nevertheless there is nothing in all this "development" through appropriation, dissipation and destruction of natural resources to indicate that Americans possess more than their fair share of intellectual and moral depravity. Given the notions and habits of thought and action which the colonists brought from Europe and the conditions with which they were confronted in America, a colony of saints, philanthropists and reformers would have produced a polity differing scarcely at all from that of the United States. The reformers are wont to look back upon our past with rage. They bitterly regret that the Fathers did not conserve our patrimony by taking wise forethought, instead of squandering it in riotous "development." So might we regret the lack of foresight on the part of our simian ancestors in failing to preserve their tails, that we, their descendants, might therewith the more joyfully disport ourselves in the tree-tops. Our patrimony was no patrimony until it acquired value through use and scarcity. Some waste and destruction were unavoidable, if the western hemisphere was ever to be "civilized." The steps which have brought us into our present predicament of advanced civilization were for the most part inevitable.

Mr. Croly ascribes many of our political and economic abuses to the fact that we have been governed by lawyers. Lawyers make, interpret and execute, or fail to execute, our laws. Many legislators, most executives and all judges are trained lawyers. Lawyers have built our constitutions and they have interpreted them, oftentimes into innocuous desuetude. When a measure comes up for consideration, the first question asked is, not whether it is wise or expedient, but whether it is constitutional. The training of the lawyer unfits him for the progressive adaptation of the law to new conditions.

Whatever his qualifications have been for the task, and they have, perhaps, been overestimated, they are no longer as substantial as they were. Not only has the average lawyer become a less representative citizen, but a strictly legal training has become a less desirable preparation for the candid consideration of contemporary political problems [page 134].

Continual quibbling over the meaning of the Constitution has undermined our moral character to such an extent that even the robust reformer is wont to refer to his most hopefully unconstitutional reform as a restoration of the sacred Constitution to its original perfection. The reformers, Mr. Croly writes,

have eschewed the tradition of partisan conformity in reference to controverted political questions, but they have not eschewed a still more insidious tradition of conformity—the tradition that a patriotic American citizen must not in his political thinking go beyond the formulas consecrated in the sacred American writings. They adhere to the stupefying rule that the good Fathers of the Republic relieved their children from the necessity of vigorous independent or consistent thinking on political matters—that it is the duty of their loyal children to repeat the sacred words and then await a miraculous consummation of individual and social prosperity. Accordingly, all the leading reformers begin by piously reiterating certain phrases about equal rights for all and special privileges for none and of government of the people, by the people and for the people [page 150].

However, most reformers and many standpatters now recognize the true character of the Constitution as the palladium of vested interests. Reformers still speak of restoring to the people their inherent, inalienable rights guaranteed by the Constitution ; but they know better.

Much of our legal progress has been made possible only by methods of interpreting the Constitution which seem to many to amount to a circumvention of the fundamental law. This Mr. Croly would perhaps regard as hypocrisy. If it be such, it is a worthy sort of hypocrisy.

Handicapped by a Constitution whose words can be changed only by agitation verging on armed revolution, the only recourse of the reformers is to cause new meanings to be interpreted into the old words. If the judges of the Supreme Court had not in more than one instance virtually amended the Constitution, the Union would have been broken up long ago. The chief trouble with our written Constitution is that we must wait until the high-priests who wait on the ark of the covenant have received a new prophetic inspiration, before we can know what the language of the document means. Supreme Court justices are generally old men when appointed. Their economic and political theories belong to a past generation. Their interpretations of the sacred writing are sometimes out of harmony with the spirit of the times, as in the case of the income-tax decision of 1894, the creation of the doctrine of judicial review in the matter of railroad rate regulation by legislative authority, and the extension of the anti-trust law of 1890 to all combinations in restraint of interstate trade. The courts are slow to recognize their fallibility and yet slower to correct their mistakes, so that the community must suffer for twenty or fifty years before redress can be secured.

Reforms are necessary if the people are to be saved from the consequences of their own carelessness or senselessness. Reform movements are in general but mildly successful, because the reformers erroneously assume that man is wholly and uninterruptedly a rational animal, whereas all experience has shown that he is only partially and occasionally rational. Most of the time he is emotional and unreasonable to a degree. A large number of men traverse the road from the cradle to the grave all guiltless of an intellectual process more complicated in character than is demanded by the acts necessary to maintain existence. They do things for love or hate, from habit or custom, from instinct or necessity, but seldom or never for a reason that can be called rational. And yet most reformers hope to change the established order by showing its inherent absurdity or injustice. The anti-slavery reformers proved over and over again that slavery was a stupendous economic blunder, but the appeal which finally ridded the country of this dark evil was an appeal to the emotions, not to the reason. The tariff reformers have been busily engaged from the beginning of our history in proving the impossibility of a nation's taxing itself into opulence; but so far as their appeals have aroused any response in the thoughts of the people they have been directed to the emotions and the prejudices. The strength of the protective doctrine lies in the unreasoning belief of the many that higher prices mean greater pros-

perity and wealth. High prices often mean prosperity to individuals: the fallacy lies in the assumption that whatever benefits individuals consequently benefits the nation. Abuses have grown up and will continue to grow up so long as the majority of the people cling to the simple faith that the individual is greater than the state, and that folly committed in the name of liberty and equality may increase the happiness of the free and equal. Nearly every young American believes himself an incipient Jay Gould or John D. Rockefeller. He would rather play in a game where the prizes are few and big, because he feels sure that his superior merit, skill, system or industry will win a prize. If loaded dice are allowed, so much the better, for the chances of "success" for the "bold and enterprising" are thereby increased. The sweet reasonableness of the law of probability does not impress him. The likelihood that the old gamblers will have secured all the dice, or will play against him with a superior kind of dice, does not occur to him. Because of the wide dissemination of the gambling instinct, it may be confidently predicted that the reformer will not be without occupation in America for some time to come. Mr. Croly, in common with other writers on our polity, seems to assume that reformation of abuses will perforce follow exposure of abuses.

With a conception of nationality that allows the fostering of privilege at the expense of democracy, a spirit of democracy that is opposed to nationality, and a subjection to the tyranny of written constitutions and judicial interpretation that antagonizes in turn both nationality and democracy whenever either opposes or limits private rights, it is small wonder that we dwell in a continuous state of political check and balance tempered by popular revolt against the constituted authorities. The question which comes eternally to the minds of all is: What are we to do about it?

Mr. Croly's answer to the above question is not likely to arouse immediate and enthusiastic approbation. The antidote for the evils of economic privilege transmuted into vested right—evils which are made more secure by our doctrine of theoretical equality before the law—is, in his opinion, a frank policy of constructive discrimination. This seems, at first glance, to give over the fight for economic and political democracy. On further consideration, however, it seems rather a sensible proposal, which is perhaps its principal weakness. The reconstructed nation will discriminate against those individuals, institutions and practices that tend to injure it and it will discriminate in favor of those individuals, institutions and practices that make for welfare. The truly national-democratic state, says Mr. Croly, can not be impartial. It

must be either for or against social tendencies. Expressed in such general terms, the program of constructive discrimination will meet with no violent opposition. When it comes, however, to drawing up a list of harmful things to be discriminated against and beneficent things to be discriminated for, differences of opinion will emerge. It will be a long time before the American people will approve of discrimination against the small, inefficient producer and in favor of the large, efficient corporation, although this is the obvious and intelligent course to follow. The state should favor combination by allowing those who combine to reap all the legitimate advantages due to large-scale production, but it should prevent them from reaping extortionate monopoly profits. Mr. Croly objects to the "commission" form of government supervision on the ground that it divides responsibility for the policy of the industries so controlled. There is some force in this objection; but until the state is ready to take over an industry entirely, the separation of ownership and responsibility must exist. No property right is absolute. Every business is subject to the sovereign control of the state. That control may be and often is best exercised through a commission, which can hold the private undertakers to their obligations toward the public better than can the district attorney's office assisted or handicapped by the regularly constituted courts. Mr. Croly is not frightened by the cry of socialism. If private individuals or corporations conduct their business in a way inimical to the public good, he favors public management of those industries. Enterprises can not, however, be divided off-hand into those which may advantageously be left in private hands and those which require public management. It would be calamitous, moreover, with the present standards of official competence, not to speak of honesty, for any one of the states to attempt to take over its public-service corporations. It would be even more calamitous to allow the public-service companies to proceed unregulated save through the ordinary legal machinery for the redress of abuses. The only way to bring public-service corporations under any effective public control is through the medium of a public-utilities commission. The corporations are beginning to see this and to recognize that the commissions are all that stand between them and annihilation. Furthermore, the control exercised by the various public-utilities commissions is, on the whole, efficient and salutary. Enormous benefits to the public have resulted, and the complete socialization of these industries has been indefinitely postponed. In this case, delay is of the greatest value.

Discrimination in favor of trade unions will appear to many as a destructive rather than a constructive policy. When the relative weakness

of the unions is considered, it sounds preposterous to characterize the unorganized laborer, as Mr. Croly does, as an industrial derelict. Nevertheless it would be, in the reviewer's opinion, better if the state recognized the soundness of this view and obliged every laboring man to belong to a union, discriminating against non-unionism to the extent of actually prohibiting it. Collective bargaining, the standard day and the standard wage would then receive legal recognition, as is now the case in Australasia. Strikes would not be prevented, but they would be reduced to a minimum. Wages and hours of labor would not be fixed by inflexible statutory enactment, but by bargaining between employers and employees on approximately equal terms. The wages, hours and conditions of labor would of course vary from time to time and from place to place. Such a policy is much more radical than Mr. Croly proposes; but in the reviewer's opinion it would prove much more effective. Undoubtedly, however, it would be more difficult to devise a program of constructive discrimination in the case of trade unions than in the case of combinations of capital.

"Any genuine measure of economic or political reform," Mr. Croly says, "will, of course, give certain individuals better opportunities than those they have been recently enjoying, but it will reach this result only by depriving other individuals of advantages which they have earned" (page 192). It is not easy to see by what exercise of industry or other virtue the possessors of certain franchises or other similar privileges have earned the advantages conferred by possession. To take away these privileges would, no doubt, cause pain to those dispossessed, but it can not properly be called depriving them of advantages which they have earned. It is not, really, discrimination at all, but the suppression of discrimination. This is what Mr. Roosevelt and others mean, in part, by the establishment of the "square deal," which Mr. Croly condemns as a pious fraud. His understanding of this phrase is rather peculiar. In his mind, the "square deal" would discriminate against efficiency by protecting the small producer against his bigger and more efficient rival, and by obliging, or at least allowing, everybody in turn to serve in public office regardless of fitness. Everybody would be given an equal chance at everything. Dishonesty and inefficiency would be safeguarded from attack. Such a conception of the "square deal" would be something worse than a pious fraud. Truly conceived, the "square deal" would give to every individual and to every institution full and free opportunity to prove his or its worth. There would be no handicaps in the contest, except such as the competitors bring with them by reason of unequal capacity and

character, and the rewards would be distributed discriminately, according to merit. Such discrimination is exactly what Mr. Croly says he wants. No one thinks of the "square deal" as giving inefficiency and dishonesty the same opportunity that is offered to ability and rectitude. Such a definition is absurd; and yet some such definition must be lurking in Mr. Croly's mind when he refers to the "square deal" as a pious fraud. Of course the deal cannot be squared without serious diminution of the legal protection now accorded to certain individual interests. The obvious criticism of the present-day square dealers is that their program can not accomplish all they claim for it. Gross inequalities of a pernicious kind would be perpetuated by their proposed reforms. Their proposals, however, mark a step toward equality of opportunity, and quite as long a step as the American people is capable of taking at this time.

No one realizes more keenly than Mr. Croly the futility of attempting to regenerate society by legislative enactment. All reform, in last analysis, is a reform in education. For the ten-thousandth time we read that the proposed reforms are to be consummated by the slow process of training. When we stop to consider that the slow process of training is chiefly responsible for the evils we now suffer, our faith in reformation through education is not strengthened. The doctrine that indiscriminate reading, writing and arithmetic promote good citizenship is the corner-stone of our educational fabric. No doubt, if reform is to come, proper education must precede, accompany and follow it, but it can by no means be assumed that the people will consent to be properly and profitably educated at their own expense. It is generally admitted that our schools do not accomplish results at all proportionate to their cost in money, time and health. Can they be made really efficient? Before we can hope to achieve educational reform, the people must be educated to desire both education and reform. A miracle must be wrought: system and sense must be infused into our educational chaos; trained men and women must be turned out by our schools and colleges, instead of learned ignoramuses and helpless all-round incapables.

No amount of education can abolish the need for leadership either in politics, economics or ethics. It is frequently said that education should train men to think independently, *i. e.* differently from everybody else, as if the goal of education were the development of intellectual anarchy. Only a small minority of men are capable of original thought. It would be better if the majority of men were trained to select with good judgment the leaders who should do the political think-

ing for the community. The people select their political leaders now, but they do it blindly and unintelligently. The result is the "boss." He is the embodiment of the popular demand for leadership. Mr. Croly proposes to exterminate the unofficial boss by substituting for him an official boss chosen by popular vote. Before this substitution can accomplish any desirable change in our political machines, the people themselves will need to be reformed. There is no inherent merit in securing a plurality of unintelligent votes; an elected boss might be as bad as the self-made boss. Again the whole reform resolves itself into a problem of education. If the people are willing to be educated properly and if they can get the proper education, all things reformatory are possible.

Every complacent American who has the capacity, but has never acquired the habit, of thought should be obliged to read Mr. Croly's book. It will do him good, even though he should dissent from every conclusion and disapprove every constructive reform therein set forth. Before all else, the average American must be startled out of his stupefying faith in the divinely ordained destiny of his country. The policy of drift cannot possibly bring the ship of state to any desirable haven, and the sooner the crew are made aware of this, the better. Even confirmed reformers should derive much benefit from this book. All Mr. Croly's proposed reforms are suggestive and some are decidedly original. He has presented a fair, philosophical and readable criticism of accepted American traditions.

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